

THE RECORD OF THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK

EDITORIAL BOARD

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Executive Secretary

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Association Activities

ON OCTOBER 1 at a Special Meeting at the House of the Association an honorary membership was conferred on The Right Honorable The Viscount Jowitt, The Lord High Chancellor of Great Britain. Viscount Jowitt was entertained at a buffet supper preceding the meeting and spoke on "The King's Conscience and Other Things." The present Lord Chancellor becomes one of the ten living honorary members, of which there have been since the Association was founded a total of twenty-three.



THE COMMITTEE ON Professional Ethics has long been at work on editing the collected opinions which it has issued. It was necessary that the opinions be published so that they might be made available not only to the Committee but to the membership of this Association and to committees of other associations. When it was found the expense of printing the collected edition was prohibitive, members of the Committee and of the Executive Committee volunteered to undertake the work of mimeographing the opinions. The complete collection has now been mimeographed and a bound volume of the opinions will be placed in the hands

of every member of the Committee and will also be available in the Library. An index current with the work of the Committee is also available in the Library.



IN THIS NUMBER of THE RECORD will be found the President's Annual Report, which is published here with the thought that the membership will want to read it in this form as well as having it preserved in the Year Book of the Association. It should be noted that the President's report contains a very full summary of the activities of the various committees. Particular attention is directed to the President's report on the activities of the Committee on Law Reform. There a summary will be found of the fate of the Association's legislative program in the last session of the legislature.



THE SPECIAL COMMITTEE on Military Justice, of which the chairman is Frederick vP. Bryan, transmitted its recommendations to the House Committee on Armed Services on July 30, 1947. The House has reported out the amended version of H.R. 2575, and the Association's special committee is now preparing studies of that bill as well as of the bill dealing with the administration of naval justice. It plans to make known to the Congress its views on the two measures when they are again considered. The Committee will welcome communications from members on the subject of this legislation.



BECAUSE OF the appointment of J. Edward Lumbard, Jr., as a judge of the Supreme Court and the elevation of Arthur Markewich to the Magistrate's Bench, it was necessary for the Executive Committee in June to select two new members. Edwin A. Falk and Edgar G. Crossman were elected. Since Judge Lumbard was to serve as chairman of the Executive Committee during the coming Association year, it was also necessary to elect

a new chairman. Arthur H. Schwartz was elected by the Committee as its chairman.



THE CRIMINAL COURTS COMMITTEE has been active during the summer and held three meetings. The meetings were devoted to considering nominations by the Mayor for the position of City Magistrate.



CHIEF CITY MAGISTRATE Edgar Bromberger has called to the attention of the Association that many leading law firms have loaned the services of some of their younger members to the Legal Aid Society for use in the Felony Court and Youth Term (Manhattan). Judge Bromberger expresses his appreciation for the work done by these young lawyers and has written the President, "It is most comforting and encouraging to know that, in the administration of justice, we have the support and cooperation of such a fine organization as the Legal Aid Society and that of the group of law firms who have so unselfishly and generously assisted in this public service."



ON JULY 9 the Mayor appointed an Advisory Committee to Organize Panels of Volunteer Lawyers who would give advice to tenants and landlords concerning the operation and application of the new emergency rent laws. Mr. Tweed was asked by the Mayor to become the chairman of this Committee, and Louis M. Isaacs, Jr., a member of the Association's Committee on Real Property Law, was designated as vice-chairman.

An appeal for volunteers was made by this Association, and nearly two hundred of our members responded. Panels were set up in each of the Municipal Court Houses in the City, and these Panels advised over five thousand persons. Of those seeking advice approximately seventy-seven per cent needed no further help, eleven per cent were referred to their own attorneys, eight per cent to one of the existing referral services, and four per cent

to one of the legal aid societies. The Mayor has expressed his appreciation of the work done by the Advisory Committee.



FOR SOME TIME the need for the installation of a modern membership record system at the Association offices has been apparent. After careful study of modern methods of keeping membership records, a system has been devised which has already been put into operation. All members have received the new type of record card and have been asked to fill them out and return them to the Association before November 1. Since these cards will take the place of the old membership records, it is extremely important that *all* members carefully complete the cards sent to them and return them promptly. Great savings in time and money for the Association will be made if care is taken in the preparation of these cards before they are returned.

The Calendar of the Association for October

(As of September 25, 1947)

- October 1 Special Meeting in Honor of The Right Honorable
The Viscount Jowitt, the Lord High Chancellor of
Great Britain, 8 P.M. Buffet supper at 6:15 P.M.
- October 2 Meeting of Committee on the City Court of the City of
New York
- October 8 Dinner Meeting of the Executive Committee
Meeting of Committee on Entertainment
- October 9 Dinner Meeting of Committee on Law Reform
Dinner Meeting of Committee on Professional Ethics
- October 14 Dinner Meeting of Committee on Bankruptcy and Cor-
porate Reorganizations
- October 15 Meeting of Committee on Admissions
- October 16 Meeting of Committee on Foreign Law
- October 20 Dinner Meeting of Committee on International Law
- October 21 *Stated Meeting of Association and Buffet Supper—6:15
P.M.*
- October 22 Dinner Meeting of Committee on Medical Jurispru-
dence
- October 27 Meeting of Library Committee
Round-Table Conference preceded by buffet supper for
members of the Association at 6:45 P.M.

Annual Report of the President

A. INTRODUCTION

When I was writing an Annual Report in 1946, I thought that this year the document would be in the nature of a valedictory. It was a surprise when the farewell was postponed to May, 1948. I hope that long before that the work of rehabilitating and rejuvenating the building which was the only reason for my third year of office will have been completed.

The point is that last year, thinking that there would be no need for anything more except a valedictory, I gave myself the benefit of *fifteen* months of activities which means that this year there are only *nine* months to talk about. In this dilemma our man of ideas, Paul De Witt, suggested that I rely upon prospectus rather more than report. I am following this suggestion particularly in the second part of the report which deals with the activities of specific committees. And I am indulging in the same spirit of optimism that was characteristic of a financial prospectus before the SEC brought gloom to the market place. A year hence it will be interesting to see to what extent the prospect has become reality. But I shall not forget that even such a prospectus must contain some statement of past and present facts.

Speaking generally of the past year, I think the Association went ahead. The oil in the machinery—meaning thereby the Executive Secretary—kept the wheels turning notwithstanding that he had an exhausting twelve months, particularly because he spent his entire vacation looking for a place to live within the city limits for commuting is a thing in which no executive secretary can indulge. This prompts the expression of a wish, not likely to be granted for a long while, that we might have living quarters, or at least an emergency dormitory, above the House of the Association. There ought to be a place for committeemen who are commuters to spend the night.

The committees have worked hard, although naturally some of them have worked harder than others. Equally naturally, their accomplishments have been in direct proportion to the amount

of work done. There are still some places where the gears mesh somewhat roughly. There is need for more and better liaison. I have been *talking* a great deal about this but it remained for the committee chairmen themselves to *do something*. They gave a dinner party at which they had an opportunity to get acquainted with each other and, incidentally, they did me the honor to invite me as a guest and to present me with a watch, duly engraved. Everyone enjoyed himself, even the Toastmaster, Oscar Rosner, who assigned to himself onerous duties in stimulating oratory. In addition there was much singing and piano playing. As a result of the party there will be less controversy between the committees; as a result of the gift my timing of speakers will be more accurate—although perhaps less lenient—for I had been watchless for a couple of years. Long after my timekeeping days are over I shall remember this occasion with pleasure.

A friend, though not an ardent adherent, of mine told me that as he was leaving the Astor Hotel after the first Association Night in March, 1946, he overheard the question, "Is Tweed President of the Association?" and the reply, "No, he is just Chairman of the Entertainment Committee." There was some basis for the error. Two years ago I thought that the first need in order that the Association be deemed human was friendliness. For after all that is one of the primary distinctions between men and animals. So I worked hard to establish that spirit in the House of the Association. Thanks to the support of the Executive Committee and the Entertainment Committee the atmosphere became less heavy and more genial. And, I venture to assert, more conducive to constructive work and affirmative accomplishment.

Another distinguishing characteristic of the human is that he profits by experience. So, in the second year we have tried experiments, observed results and planned for the future on that basis. We wanted to find out two things: What the members prefer in the way of periodic entertainment and what they are willing to do in the way of perennial work. One conclusion is that the membership wants a great variety of entertainment. This is perfectly understandable. Some men enjoy one sort of an occasion; others

are bored by that sort of thing and want something entirely different for diversion. I think that the Association can meet the need. The problem of finding the work which will lead to the most worth-while accomplishments is more involved. When there is a subject which captures the imagination of lawyers and lines them up for and against, then almost always the majority will press through as hard and as far and as constructively as possible. The best substitute for such an issue is a committee chairman who has the imagination and the initiative and insistence to propose and put through some particular plan or project. But there are precedents which prove that a committeeman who is not a chairman has an almost equal opportunity. And one important piece of work which the Association is now doing was suggested by a man who is not a member of any committee.

A third effort in the best human tradition is the work being done to make the House of the Association not only safe and sanitary but also suitable and reasonably aesthetic. I am confident that in the end the result will deserve and receive the approbation of the membership. I am afraid, however, that the end will not be until November, at the earliest. Even then there will be ragged edges yet unsmoothed. And the present program leaves a considerable part of the building untouched as to decoration and furnishing.

The Executive Committee calculated in advance that the work of repair, replacement and rejuvenation could be paid for out of savings of the past and of the calendar year 1947. We hope that the calculation will prove correct. It is true that we must increase the mortgage on the Association Building by about \$90,000. But in 1946 the mortgage was reduced by a payment out of savings of \$75,000. To that extent there is no new borrowing but rather the liquidation of a temporary investment made out of earnings. I believe that holders of at least \$20,000 of three per cent notes of the Association will surrender them to the Endowment Fund so that it may be truly said that the Association has paid for all of the work out of savings and gifts made for the purpose. I may add that the amount which the Association owes

on the outstanding notes held by members and the amount of the mortgages on the two buildings represents only a small part of actual mortgageable value. If all goes reasonably well, there should be further profits from the Bar Building and perhaps some excess income of the Association which can be used for one pressing need unprovided for by the present appropriation, namely, the refurnishing of the three rooms on the north side of the ground floor so as to increase their usefulness and to multiply the number of members who want to use them.

I again take off my hat to the personnel in the House of the Association. What they had to contend with to meet the objectives of two years ago was nothing compared with the long drawn-out battle with plumbers, electricians, masons and carpenters which began last March. The service which the present staff gives to the members is the positive peak which these men and women can be expected to furnish under existing conditions. When our facilities have been improved, one result will be faster and fuller attention to the wants of members. Meanwhile, Sidney Hill remains an unexcelled leader of forlorn hopes and he has fearless lieutenants and followers who join in accomplishing the impossible.

When we think of the personnel in the House, we visualize Sidney Hill, Peter Hern and Jerry Hayes. It is fair enough that we should do so but there are many others who accomplish a great deal in comparative obscurity. There are Mrs. Webb who has headed the Treasurer's office for thirty-one years, Miss Duff who was Charles Strong's Assistant for twenty-three years, Miss Hogan, who is Assistant General Manager, and Miss Dietz. Then there are the Assistant Librarians, Forrest S. Drummond and Joseph L. Andrews and we must not forget the men at the door who give us a hail or a farewell as we come and go.

B. ASSOCIATION ACTIVITIES DURING THE YEAR

1. *Office of Executive Secretary.* Paul De Witt continues to justify the existence of the office which he holds and which he

discharges so well. Our only worry now is that we may lose him. The Executive Committee authorized the employment of an assistant to the Executive Secretary but we have not found the right man. We are continuing the hunt because the importance of additional experienced and regular manpower is recognized by everyone who has had anything to do with the activities of the Association. It was undoubtedly the presence of Mr. De Witt as Executive Secretary which made it possible for the Association to receive the Award of Merit which is awarded each year by the American Bar Association, for outstanding and constructive work by a local bar association in a community with a population in excess of 100,000. This was the first time that our Association received this award.

THE RECORD, of which Mr. De Witt is the active editor, continues to receive commendation from many sources and can, I think, be regarded as a permanent institution. The plan is that in future it shall carry more committee reports than it has done in the past. This is particularly important because this year it was decided to omit most of the annual reports from the Year Book which will include only the reports of the President and the Treasurer and the Admissions, Audit, Grievance and Library committees. This will reduce the number of pages by about one hundred and there will be a further reduction by printing the memorials separately and sending them only to the members who respond affirmatively that they want them. The total saving in dollars will be substantial.

The omission of the annual reports is not inconsistent with the effort to give the work of the committees greater publicity and importance. In the first place, the annual reports of most of the committees do not constitute the constructive accomplishments of the committees but merely recite more or less statistically what they have done during the year. This is particularly true of the Committees on State and Federal Legislation, Criminal Courts, Law Reform, Grievances and the Judiciary.

The nature of the important work of each committee varies greatly but in few cases is it merely the making of a report. In

the cases where that is the chief function of the committee, the report is either printed and distributed to the entire membership separately as in the case of the report of the Committee on Taxation in 1946 and the Committee on the Judiciary last May, or it is included in THE RECORD, as was done with the opinions of the Committee on Professional Ethics and of the report of the Committee on the Federal Judiciary last year.

It is believed that the recordation of the statistics with respect to the activities of the committees can be adequately summarized in the President's Report which is one of those to be included in the Year Book. And the annual reports of the committees will, of course, be kept on file in the archives and can be examined by anyone on application to the Librarian.

2. *Auxiliary Members.* At the February Stated Meeting the constitution was amended so as to create a new class of members known as Auxiliary Members. Fundamentally, the amendment provides that any member of the Bar of the State of New York in good standing may become an Auxiliary Member by vote of the Association on recommendation of the Committee on Admissions. There is no initiation fee and dues are twenty-five dollars a year. Auxiliary Membership ceases three years after admission to the Bar but the expectation is that these members will apply for admission as Active Members in which case they must be reconsidered by the Committee on Admissions and, if recommended, stand for election as Active Members. Auxiliary Members are eligible for membership on committees appointed by the Executive Committee or the President and have all other powers and privileges, except the right to vote or hold elective office.

Formerly the only opportunity for a member of the Bar of less than three years' standing to be identified with Association activities was by obtaining the so-called "Privileges of the House and Library." The number of lawyers who did this was very small (45 as of May, 1946), presumably because they obtained no feeling of actual participation in the work of the Association. It is interesting to record that during the four months following

the amendments referred to 48 lawyers became Auxiliary Members after recommendation by the Committee on Admissions and election by the Association. In addition 17 lawyers have applied for Auxiliary Membership and are on the waiting list.

An amendment to the By-laws adopted at the February Stated Meeting provides that any Auxiliary Member who has paid annual dues of fifty dollars (i.e., has been an Auxiliary Member for two years) and applies for and is elected to Active Membership promptly after he has been three years at the Bar is exempted from the twenty-five dollar initiation fee which otherwise would be payable. Thus, it is possible for a member of the Bar who joins the Association promptly after his admission to have substantially all of the privileges of membership for nearly ten years by paying dues of only twenty-five dollars a year. Perhaps I should repeat here what I said at the Annual Meeting in May:

There are still many lawyers, both young and old, of the sort who ought to, but do not, belong to this Association. More members will mean more money. But we are going to elect them because we want their *membership*, not because we want their *money*. It has always been, it still is, and it should continue to be, a privilege and an honor to be a member of this Association. We must not lower our standards. There are all sorts and varieties of voluntary organizations in this world today and it is appropriate and proper and in the public interest that there should be one with purposes and a membership such as ours.

The Committee on Admissions may have to work harder but it can be relied upon not to relax its vigilance or stultify its conscience.

3. *Number of Members.* The number of Associate Members, meaning thereby those who do not live or practice in or near New York City so as to be eligible for Active membership, has increased very little since May, 1941. It was then 616 and it is now 644. No particular effort has been made in the past or is being made now to secure more Associate Members. It is doubtful whether this could be done on any large scale without loss of

dignity and the revenue gained from the dues of ten dollars a year would not amount to much.

It was inevitable that comparatively few lawyers would join the Association during the war, thus leaving a large backlog of those anxious to join during the post-war years. The *net* increase in membership during the past two years has been 97 and 287, a total of 384. The two Chairmen of the Committee on Increase of Membership, Leonard P. Moore and Arthur Markewich were enthusiastic and energetic and between them they have put the business of securing new members of the right sort upon a systematic and efficient basis. Carlyle E. Maw, the new Chairman of the Committee, will not try to break the record in the number of new members. Rather he will concentrate on quality and further systematization designed to build up a tradition that lawyers who have the qualifications and the desire to belong to the Association, customarily apply for membership soon after admission to the Bar.

The number of Active Members as of August 1, 1947 was 4,512. This is the peak number. There were 637 Associate members and 47 Auxiliary Members.

The average age of members of the Association is still too high. It is encouraging that the average age of the chairmen of the committees as determined at the dinner in June is almost exactly forty-six years. To some that seems very young; to others it seems very old. Taking the normal extremes in a sort of high tide of availability and usefulness for committee work at between forty and sixty—this forty-six year average of committee chairmen is below the mean age. It shows that the selection of key men is not being limited to the old timers.

4. *Building Improvement Program.* I said a good deal about repairs, replacements and improvements necessary in the House of the Association in last year's Annual Report. I gave all of the details in the report sent to the membership under date of February 4, 1947. And I have summed up the situation in the introduction to this report.

As the work has progressed and we have had a close up view of

pipes and electric wires and have measured the depth of the dust in cornices and moldings, it has become more and more obvious that what is being done is a necessity and not a luxury. There can be no doubt that the cost is high. But as compared with the risk of fire and the possibility of long postponement, the Association can afford it.

There are other things which are not now necessary but which will become so in a few years and which even now are much to be desired. The need to develop the three ground floor reading rooms has been mentioned already. The Library reading room on the top floor should be made more efficient and a pleasanter place to work. This improvement was reluctantly deleted from the present building program because the money to pay for it was not on hand or in prospect. It would probably be worth while, economically as well as otherwise, to convert the so-called "lantern" above the Library reading room into offices for Association personnel or conference rooms for the membership. At present this area of about 55,000 cubic feet contributes nothing except a place where the warm air congregates on a cold winter's night.

In connection with the work now going on the architect, Harry Prince, the Building Committee, Chauncey B. Garver and Franklin E. Parker, Jr. and the Art Committee under the Chairmanship of G. Franklin Ludington, to say nothing of Sidney Hill, have done everything to speed the operation and minimize the pain. The Keating Construction Company has been cooperative to an extent that I thought was not permitted by the customs of the trade and our interior architect, Ralph F. Robertson, has given me a similar surprise by cooperating with everybody on a most generous basis. The result has been an excellent job all around notwithstanding the difficulties of the times.

5. *Association Finances.* The Association and its members are to be congratulated that no increase in dues has been necessary. The same good fortune has not come to many organizations. The cost of operation has gone up since the Association Year 1940-1941 from \$235,723.82 to \$283,114.08, during the year recently

ended. The budget for the current year calls for \$347,896. In the ordinary course of events this would have required either a corresponding increase in dues or special assessments. Neither has been necessary because of the increase in the number of members and in the number of Sustaining Members. On behalf of the Association I record appreciation of the generosity of the seven hundred who have voluntarily paid sustaining dues. And I appeal to the consciences of the rest of our financially fortunate members, and particularly to those whose good fortune has come recently, to join the ranks of Sustaining Members. Statistics show that younger members who were entitled, with clear consciences, to pay only the regular dues some five years ago do not recognize the responsibility of their recently acquired prosperity as promptly as the Association would like to have them. It is proper that the dues of each member should be the same, regardless of ability to pay. But no principle that I know of requires that those who can afford to make voluntary contributions should refrain from doing so. Indeed, it is the essence of the American way of life that public institutions should be so supported.

Of one thing I am certain—the Association must not let the need for budget balancing curtail its activities. No institution can live long going backwards. Very soon it backs over the cliff into oblivion.

6. *Endowment Fund.* The Endowment Fund was organized in June, 1946 so as to make it possible to contribute to important activities of the Association and at the same time to secure the income or estate tax deduction which should be accorded to such a gift, but which has been denied to gifts made directly to the Association itself. Mostly on their own initiative members have already contributed \$3,600 to the Fund and have surrendered to it \$2,100 in face amount of the 3% Association Notes. I repeat that it is my hope and belief that before the completion of the building program the total amount of notes surrendered will exceed \$20,000. Then we will be able to tell ourselves and the world that this work has been paid for entirely out of past savings and recent gifts.

7. *Legal Referral Service.* Something over a year ago the Association authorized the setting up of a service to refer to competent lawyers, the many people who need legal advice and do not know where and how to get it. The plan contemplates that the applicants will be referred to an attorney who has agreed in advance to give an hour's consultation for a fixed fee of ten dollars or a half hour's consultation for five dollars. The panel now consists of 329 attorneys. The service became effective in July, 1946 but received no adequate publicity until the end of the year. In the six months from January to July, 1947 nearly nine hundred clients were referred to attorneys on the panel and about an equal number of those who came to the office and were interviewed by the Director, Richard Haydock, found that their matters did not require or justify referral. There have been practically no complaints which speaks well for the Director and the attorneys on the panel. The figures are greatly in excess of those recorded in Chicago or Los Angeles for a six months' period within a year of organization. Nevertheless, they do not equal the number which I personally had prophesied. I am convinced that the office has not yet been given the kind and the extent of publicity to which it and public are entitled. This is one of the many things which remain to be done.

An analysis of the first one thousand cases according to subject matter is interesting:

Adoption and guardianship	14
Contracts and business instruments	172
Corporations and partnerships	39
Estate matters	65
Immigration, naturalization	18
Insurance matters	11
Labor Relations, incl. Workmen's Comp.	28
Matrimonial	304
Patents, trademarks, etc.	40
Personal injury and personal prop.	72
Real estate, landlord and tenant	169
Miscellaneous	68

8. *Employment Office.* After the Veterans Placement Service conducted by the War Committee of the Bar of the City of New York had been terminated, a demand arose for an office to help Veterans and Non-veterans alike. The Association and the New York County Lawyers Association each underwrote to the extent of \$5,000 the inauguration of a Placement Office, known as the Lawyers Bureau. An amendment to the General Business Law of the State of New York was obtained, which permits the office to charge applicants a fee for each registration. This fee has been fixed at \$5.00. The office commenced operation under the supervision of a joint committee of the two Associations in May, and although thus far its operations have been confined to the comparatively inactive summer months, eighteen lawyers have been placed.

The success of the Bureau will have to be judged not only by its ability to furnish potential employers with top flight lawyers, but also by its ability to find places for those whose qualifications are not such as to enable them to secure a position by their own efforts. There is a real need for an office which has the whole-hearted support of the members of the Association and the New York County Lawyers Association and which intelligently and assiduously searches out the law firms, individual practitioners, public offices and corporations having vacancies on their staffs. It is not an easy job and it takes a long time to build up the confidence of potential employers to the point where they know that the Bureau will refer to them applicants who meet their requirements. Notwithstanding the enthusiasm and efficiency of the Committee the Bureau has not as yet demonstrated that it will be able to fill the need of the Bar.

9. *Special Committee Activities.* I have been delighted at the extent to which the committees have used the House of the Association for meetings. It seems hard to believe that two years ago this was the exception, whereas today it is the almost universal rule. Furthermore, the committees have used the facilities of the Association to stimulate their minds and bodies with food and drink. There have been 185 committee meetings in the

House of the Association of which 78 were dinner meetings. In addition there were 44 meetings of the sections of the Committee on Post-Admission Legal Education. The overall figure of meetings and events was 681. The number of persons who came to the House of the Association during the twelve month period was 112,000.

Another general comment is that the innovation of interim reports by the committees seems to have been a success. The committees are divided into five groups of about six in each group. One of these groups reports at each of the Stated Meetings of the Association. In most cases the report is limited to five minutes. The Chairman mentions not only what has been accomplished but tells of what the committee is doing and what it plans to do. Thus, the members who attend meetings obtain an idea of what is being done committeewise and if they are interested can obtain further information and, perhaps, participate in the project or at least contribute to it.

I should like to say here what I have said elsewhere to many members, particularly to those who have been disappointed in not being appointed or reappointed to a committee. Not every member of the Association can continuously be a committeeman. The 43 committees offer an opportunity to over 700 members. Of the Active Members probably one-half are willing and able and anxious to serve. That means that if there is a perfect application of the three-year rotation formula, each man will sit on a committee three years out of every nine-year period. My point is that during the six years interim a member can continue to contribute to the welfare of the Association and obtain a sense of being a participant in its activities. First of all, he can attend Stated Meetings which certainly are not as dull as many of our professional or extra-curricular or even social obligations. And while it may be seldom that any given member will speak from the floor, his presence will be an encouragement to others to attend—and, if I may say so, a gratification to me. For the still slim, although increasing, attendance at Stated Meetings has been my one and only disappointment. I do not believe that we

should bribe members to come by mixing with business either music, dancing or even special intellectual entertainment. The meetings have a purpose and that is the transaction of the business properly coming before them. That purpose and that business ought to be sufficiently important to stimulate attendance.

It may be that it would appeal to the membership to arrange a talk by someone, or a discussion by two or more men, really worth listening to at 5:30 or 6 o'clock in advance of the Stated Meeting at 8 and the buffet supper at 6:45. We plan to try this experiment. Also, I think it is probable that the Executive Committee will approve the revival of the custom of light refreshments after the meeting. It would seem as though the hour between 10:00 and 11:00 could be made good use of with the cooperation of the new Chairman of the Entertainment Committee, Judge James G. Wallace, and others.

The non-committeeman, besides attending meetings, can interest himself in the work which some particular committee is doing and contribute his ideas to the Chairman. If they have possibilities, the contributor will be given abundant opportunity to collaborate. Further, he can make the House of the Association a more attractive place for others to come to by being there himself at buffet suppers, lectures and on other occasions. Nothing grows faster than a crowd. Since one of our important objectives is to have as many lawyers as possible take an interest in the activities of the Association, as a preliminary to actual participation and to the strengthening of the professional and public influence which it can wield, the member who lends his presence is helping the cause directly and effectively. Finally, a suggestion or a criticism from a member addressed to the President or the Executive Secretary will not only be welcome but will be made the most of. It is largely in order that the membership might be stimulated to do these things that *THE RECORD* is published. I urge all of you to form the habit of at least turning its pages.

It is appropriate that there should be special mention of what the Committees on Entertainment, the Judiciary, and Labor have

done during the year, although their activities are summarized further on. The Entertainment Committee maintained the pace which it established when, as I said last year, it broke from the barrier with a burst of speed. It has now proved its endurance. In addition to "Off the Record," it was responsible for two evening parties in the House of the Association and a Sunday afternoon musicale. But its work is not to be judged solely on what it actually produced for the enjoyment of the membership. The spirit in which Chairman Watts and his lieutenants, meaning thereby all the members of the Committee, led the way and lured others to follow was the essence of their success.

The Judiciary Committee, thanks to excellent membership and chairmanship and some good luck, can record notable appointments to the bench and claim considerable credit for them. If the cynic should ask what the Committee actually did to put Harold Medina and Edward Lumbard on the bench and to make David Peck the Presiding Justice and Bernard Shientag an Associate Justice of the Appellate Division, the answer is this, at the very least: The Committee was ready and reliable, vigilant and vigorous; they were afraid neither of by-laws nor of bystanders; they offered the truth to those who wanted it and a threat to those thinking only of politics. No one can measure the precise extent of this influence. Certainly, never before did the presidents of the American, New York State and City Bar Associations, the Secretary of the New York County Lawyers Association and the Chairmen or other representatives of the Judiciary Committees of those Associations call on the Attorney General of the United States in Washington and speak frankly and forcefully about the qualifications of various possible appointees. We like to think that this sort of thing will become a practice and that, given time, the influence of bar associations will raise the standard of judicial selection.

The Committee on Labor and Social Security Legislation continued its task of educating the membership in connection with labor legislation. I think that a by-product has been a narrowing of the divergence between the points of view of our

members although these points of view are still held with the same certainty and tenacity. Reports of the Committee were published in the May and June issues of THE RECORD.

A special committee on the Federal Judiciary was appointed as a result of the article by Edwin A. Falk in THE RECORD (Volume 1, No. 6) entitled "In Time of Peace Prepare for War." It was logical that the author should be selected for the chairmanship of the committee. To date it has reached an accord on certain proposed Constitutional amendments designed to protect the Supreme Court of the United States from Presidential or Congressional attack. The Committee has been in close contact with the American Bar Association's Special Committee on the Judiciary of which John G. Buchanan of Pittsburgh is Chairman. The hope is that it will concur in the conclusions of our Committee and lend the national support of the American Bar Association to the practical problem of securing the adoption of amendments to the Constitution.

A Special Committee recently authorized by the Executive Committee and appointed by the President is called the Committee on Public and Bar Relations. It has for its objective intelligent and conscientious action first in the interests of lawyers themselves and second in the improvement of the popular conception of the lawyer and what he does. Both of these objectives are time honored in talk but unsung in deeds done. So far as the first objective is concerned, it is obvious that if lawyers do not assert themselves in their own interest, no one will. A particular example is the discrimination against the professional worker who earns his living. I am not prepared to go into details but the difficulties which face the lawyer who practices law alone or as a member of a firm, in an attempt to build up a fund for his old age or for his widow—to disregard descendants altogether—when compared with the opportunities offered by the tax statute to a corporation and its employees in the way of pensions and insurance, are too plain for argument. This special committee will go to work on this. It will also consider and come to some conclusion on the possible value of publicity designed to increase the extent

to which lawyers are consulted by the public. Typical of attempts in this direction are advertisements emphasizing the need of making and revising wills. This sort of thing has been done but it has never been part of a continuous and intensive campaign. Whether it is advisable to organize such a campaign is the first question to be decided.

The Special Committee which has these matters before it is headed by Judge Samuel I. Rosenman, as Chairman, and the members are Harry Cole Bates, James L. Fly, Edward S. Greenbaum, Louis M. Loeb, Maurice T. Moore, Jacob Gould Schurman, and Herbert Wechsler. The Executive Secretary and the President have been invited to sit with it. It is following the *ad hoc* method and intends not only to nurture the projects which seem worth while but to kill off once and for all those which are found wanting.

Speaking of public relations, mention should be made of the panel of lawyers recently organized by Mayor O'Dwyer and the Voluntary Lawyers' Advisory Committee and now working to help both landlords and tenants with their legal problems. There are 340 members of the panel and it has been possible to have a lawyer in each of the 19 municipal court houses from ten to two o'clock every day in the week. To these lawyers have come during the first three weeks of operation about 7500 applicants for advice. Something like three quarters of them have been taken care of at the initial conference and the others were referred either to their attorneys or The Legal Aid Society or one of the referral offices. After more than three weeks of operation there have been no complaints to committee headquarters or to the Mayor.

In setting up the panel each Association circularized its members. I am glad to report that of the 340 total who volunteered those from our Association numbered about 125 which is nearly twice the number from any other group. A member of our Committee on Real Property Law, Lewis M. Isaacs, Jr., volunteered to act as Vice Chairman of the Committee and has done an extraordinary job in organizing and administering its work. I know because I am the Chairman and have done practically nothing.

The work of these volunteer lawyers is an example of what the Bar will do when it is faced with an emergency. The demonstration should greatly improve the public estimate of our profession in Greater New York.

Of the same nature is the organization by representatives of the Association and of the four county associations of a membership corporation known as the Association Against Election Frauds, Inc. Its purpose is to collaborate with the Attorney General and the police throughout the year in their efforts to eliminate fraud in registering and voting. It will work through panels of lawyers who will also be available for duty on Election Day. Ernest Angell is president of the corporation and Robert H. Schaffer, who organized the project, is first vice-president. There are representatives of all the bar associations on the board of directors.

Another special committee is the Committee on Military Justice under the Chairmanship of Frederick vP. Bryan. The Committee was not appointed until after the introduction of the legislation sponsored by the Army and Navy providing for the revision of the existing systems of military and naval justice. After careful study the Committee came to the conclusion that neither of these bills meets the problem adequately. The primary consideration in the judgment of the Committee is the necessity for a complete separation in the military between the function of administering justice and the chain of command and the establishment of a separate Judge Advocate General's Department fully trained and capable of administering that function. These views have been conveyed to the House Committee on Armed Services, the report of which proceeded along very similar lines and has now been adopted by the full House Committee. No further action will be taken until the next session of Congress.

10. *Changes in the Committee System.* There were a number of innovations during the year. The Committee on Arbitration had a Moot Arbitration in the Meeting Hall to which all members of the Bar and some others were invited. The attendance of

200 was excellent and the comments of those who were there enthusiastic. It is hoped that there may be a repeat performance illustrating, perhaps, the possibilities of arbitration in the labor field.

The Committee on International Law initiated the idea of having a guest attend the Committee dinner (which is preceded by a business meeting) and stay on afterwards to talk to the members on some subject on which he is an expert. Judge Manley O. Hudson was the guest on December 9 and on December 17 he spoke at the Stated Meeting at which the Committee made its interim report.

The Committee on Real Property Law and the Committee on Junior Bar Activities each conducted an evening forum. An unexpectedly large number attended with the result that these committees and others are encouraged to arrange similar fora in the future. There was also a forum on "The Future of the Bar and Bar Associations" beginning at five o'clock and continuing until ten with an intermission for cocktails and buffet supper. Those who came seemed genuinely intrigued and they included many who, on other occasions, had shown rather a mild interest in such subjects. The speakers were Arthur A. Ballantine, John G. Buchanan, Lon L. Fuller, Karl N. Llewellyn, George M. Morris, Edwin M. Otterbourg, Carl Rix, Reginald H. Smith and Arthur T. Vanderbilt.

A member of the Committee on Post-Admission Legal Education, Lloyd K. Garrison, under the stimulus of the Chairman, has organized a section on "Drafting of Legal Instruments." The idea is to go as far as possible in having the lawyer who is preeminently expert in the preparation of a particular type of document pass his knowledge on to others and especially to younger lawyers. It is no easy thing to explain or to understand just what are the practical and legal reasons for using a particular form of instrument and for the precise phraseology of its provisions. And yet that is just what the lawyer should know if he is to represent his client effectively. He cannot get this knowledge from *Corpus Juris* or a textbook or a set of forms. The Association is doing

something worth while for its membership in adding this to the other sections which operate under the Committee on Post-Admission Legal Education.

The system of three-year rotation of the membership of Committees is working well. It has been accepted without question except that a good many men whose three-year term on one Committee has expired seek immediate appointment on some other Committee. Obviously, to permit this would emasculate the whole principle of rotation. I have made only a couple of exceptions, and those at the point of a shotgun held, not by the individual himself, but by the Committee Chairman who wanted him.

The change in the date of nominating the officers of the Association made it possible for the President to practically complete the appointment of the committees before June 15th, notwithstanding that he happened to be very busy during April and May. A contributing factor was the new system of having suggestions for committee membership made or referred to the chairman of the particular committee.

11. *Conclusion.* Last fall I said in *THE RECORD* that I had attended the organizational committee meetings with a feeling akin to that of a football coach watching the early season games and that what I saw in spirit and teamwork made me very optimistic. I wish that I could now congratulate the Association upon winning the big game of the season. I cannot do that, because there was no big game last year. But the showing made in the games we played indicates that the Association will give a good account of itself when fate presents it with a really important and crucial contest. It is building up a confidence and a power which will enable it to fulfill the exhortation of one of its most distinguished founders, Samuel J. Tilden, when at the meeting in December, 1869, he said:

"The Bar, if it is to continue to exist, if it would restore itself to the dignity and honor which it once possessed, must be bold in defense, and, if need be, bold in aggression. If it will do its duty to itself, if it will do its duty to

the profession which it follows and to which it is devoted, the Bar can do everything else. It can have reformed constitutions, it can have a reformed judiciary, it can have the administration of justice made pure and honorable."

C. WORK OF THE COMMITTEES DURING THE YEAR

The Committees may be divided, as they were last year, into four groups:

I. Administrative committees which have to do with admissions, entertainment, finance and operation of the library and building;

II. Committees on the judiciary and the administration of justice in general;

III. Committees which cover public service activities, such as the committees on grievances, professional ethics, unlawful practice of the law, legal aid and legal education;

IV. Committees on law reform, state and federal legislation and various special fields of law, such as taxation, aeronautics and the like.

I. ADMINISTRATIVE COMMITTEES

This group of committees operates within the Association itself and is designed to make the Association an efficient going concern. There is not much glory and there is a great deal of work involved in service on one of these committees, but their smooth functioning and coordination are, of course, essential to the well being of the Association.

1. *Executive Committee.* The Executive Committee has authority in practically all matters except such as are committed to other Committees by the Constitution and By-laws and even then it probably has a veto power. This involves a good deal of work at meetings, on subcommittees and otherwise. Nine monthly, and two or three special, meetings begin at five and, with an intermission for cocktails and dinner in the Supper Room, continue until ten or after. Each member attends meetings of the particular committee with which he acts as liaison.

There has been no shirking during the past year. But the new Chairman, Arthur H. Schwartz, tells me that this year he will seek closer liaison and greater familiarity by the Executive Committee with what the other committees are doing. More power to him.

I hope that hereafter the Executive Committee will act as a very informal hospitality committee at buffet suppers. I abhor the thought of formalized handshaking and introducing. It seems to me that the members of the Executive Committee have the qualifications and experience and are sufficiently various and versatile to accomplish the result of giving people a good time without being too obvious about it. Certainly there are some good cocktail shakers among them.

A subcommittee is considering an appraisal of the various Association activities and another the over-all amendment of the By-laws. Presumably no action will be taken until the House Committee, which promises great activity, has had an opportunity to study some of the inner workings of the Association and to report thereon.

2. *Committee on Entertainment.* The Annual Report of this Committee with the attached notices of events under its sponsorship would make interesting reading for the powers that were a generation or so ago. Most of them would raise their eyebrows and sibilate a snort but I think that some, remembering past occasions, would murmur a low "Thank God!"

The important entertainments were the Twelfth Night Festival in January, the Sunday afternoon Musicale and Tea in March, Association Night at the Hotel Astor featuring "Off the Record," and the Spring Party in June. I want to express my personal appreciation to retiring Chairman Edward Everett Watts, Jr. He carried a heavy impost of repressive tradition without faltering and hung up a new record of valuable camaraderie. Under the new Chairman, Judge James G. Wallace, we may expect innovations. Among them may be a little piano playing and singing after the Stated Meetings.

Suggestions include the organization of an orchestra, a house-

warming party when renovations are completed, another moving picture when safety exits are installed and some sort of a party to interest and attract the youngest members. There is also the Saturday luncheon experiment to try again. The one after which Justice Roberts spoke was very successful. Then there is the question whether some form of entertainment can be devised for the late afternoon hour and a half—5:30 to 7:00—during which, I regret to say, many lawyers seem to have spare time.

3. *Committee on Art.* Under the auspices of this Committee the annual exhibition of paintings by lawyers was held with the same success as last year. There was also an exhibition of photographs by lawyers which surprised many members with its excellence. The Committee has been of great help in the building program and has had charge of the decorative changes in the Reception Hall and other rooms on the north end of the second floor. It is preparing sketches and mixing paints for further decoration if, as and when the state of the treasury and the mood of the Executive Committee permit.

The Committee has in mind for next year an exhibition of paintings owned by members and particularly paintings having to do with legal subjects. A suggestion is the publication of a catalog of Association portraits and other paintings as well as prints and sculptures, with the idea of developing a long-term policy for acquisition and hanging. Another is the development of a permanent exhibition of members' paintings, drawings and photographs which might be kept in one of the ground floor reading rooms.

4. *Library Committee.* The most important matter to record here is the commencement of the re-cataloging of the books and pamphlets in the Library according to the up-to-date system instituted by the Library of Congress and now being followed by most of the libraries in the country. This is being done under the immediate supervision of Assistant Librarian Forrest S. Drummond. It is a slow, long and expensive undertaking but almost any member who has been compelled to search out his materials in the present catalog will be glad when it is done.

The total number of volumes in the Library is now 263,246 of which about sixty per cent have been purchased and the rest presented to the Association. The cost of operation including salaries and purchases during the Association fiscal year last past was approximately \$90,000. About \$8,000 of this came from the income of special funds donated in the past for purposes of the Library. I wonder why this nice custom of donations to the Library has been suspended in recent years? There must be many members who have a special feeling for the Library and now gifts to it, either testamentary or inter vivos, are deductible as charitable contributions if made to the Endowment Fund for the benefit of the Library.

5. *Committee on Increase of Membership.* I have already mentioned its achievement in organizing the business of new members of the right sort and the resulting record of 373 new members between October 1, 1946 and September 1, 1947. It is a difficult matter to make an appropriate appeal to the lawyers we would like to have in the Association without seeming to seek some who do not quite meet the standard, but there have been few embarrassments and no real errors.

We are indebted to Arthur Markewich for his labors and regret that his appointment as City Magistrate required his resignation from the Executive Committee to which he was elected last May.

6. *Committee on Admissions.* This is one of the hardest working and most important of the committees. It stands guard against any lowering of our professional and character requirements. It has had to work overtime during the last two years to deal with the long lists of applicants. But that did not prevent it from creating more work for itself by making the suggestion, which the Executive Committee approved, that thereafter Associate Members wishing to transfer to Active Membership will be subject to the same requirements as to proof of qualifications as if they had not been Associate Members. And it did this knowing that the examination of candidates for Auxiliary Membership will be a difficult and time-consuming task.

7. *Committees on Audit, Investments, Insurance and House*

Committee. These Committees have been alert to watch the business affairs of the Association. They can hardly be expected to devise ways of making or saving money while all costs are going through the roof and the return on investments is in the subcellar. Our thanks go to William Mertens, the retiring Chairman of the House Committee for his hard and effective work during the year. The new Chairman, Franklin E. Parker, Jr., will, I think, broaden and deepen the work of the Committee and, I hope, secure more and better service—particularly in connection with the catering department. He brings to his job a wealth of experience, particularly in cocktail mixing. But no matter what improvements he may effect in the cocktails, I foresee a demand for his resignation unless he gives us something other than Chicken a la King for at least one buffet supper.

8. *Committee on Junior Bar Activities.* The Chairman has met the challenge which I threw to him last year, to justify the existence of this Committee. The Committee has been very helpful to the Committee on Increase of Membership. It organized a forum "on the less glamorous phases of law practice," to quote from the Committee's report, at which John A. Killoran of the Surrogate's Court, Hyman W. Gamso of the New York County Clerk's office, and Phillip D. Farrell of Shearman & Sterling & Wright disclosed valuable secrets in connection with probate practice, recording statutes and the office of the County Clerk. A subcommittee on Traffic Law Enforcement appointed to cooperate with a similar organization of the Junior Bar Conference of the American Bar Association gave constructive effort to an analysis of proposed legislation and regulations having to do with traffic control in New York City. The Committee worked out the ground plans for a Moot Court competition between law schools which will probably take place in the fall. The idea is that this will be a drawing card not only for members of the Association and younger lawyers but also for men still in the law schools who will thus have an opportunity to see what the Association looks like and get some idea of what its purposes are. Among suggestions for the future are some sort of an occasion in the House of

the Association especially for lawyers under thirty-five years of age.

9. *Committee on Memorials.* The Secretary and the Executive Committee decided upon an innovation in the printing of the memorials which heretofore have appeared in the Year Book. This year, and presumably hereafter, they will be printed separately and members will be furnished with a list of those memorialized and given an opportunity to secure a copy of the pamphlet. The thought is that for the most part members are interested only in memorials covering men they knew and that a considerable economy can be effected by the new plan.

I appreciate the hard work which the members of this Committee have done and know that they are entitled to much more acclaim than they receive. I may add, however, that one member whom I persuaded to write the memorial of the late Mr. Justice McReynolds told me that he really enjoyed doing it.

10. *Committee on Round Table Conferences.* During past years the practice has been for the judge who is the guest of honor to dine with the members of the Committee in the Supper Room preparatory to the discussion afterwards at which from twenty-five to seventy-five members usually attend. There has been no systematic selection of the subjects for discussion and particularly not from the point of view of the interest and knowledge of the guest. It is only occasionally that he has taken an active part in the discussion and usually has merely made a few remarks at the end unrelated to the preceding discussion. The new plan as outlined by Chairman O'Shaughnessy and Vice-Chairman Holz is this: All members of the Association will be invited to the buffet supper preceded by cocktails. The committee and the guest of honor will sit at a large table in the Reception Hall, more or less surrounded by small tables at which other members will seat themselves. After supper the members will gather around the large table for discussion. The subject will be one picked out by the guest of honor and on which he has thoughts he wishes to express. Members will, of course, be urged to participate in the discussion of this subject and in order that the plan may not be

too definite an abandonment of the old system, a part of the time will be left open for members to suggest other topics. Afterwards there will be an opportunity for informal conversation with the guest of honor. The idea is that in this way the members of the Association may be given more of a part in the proceedings and the guest of honor made to feel that he is the center of discussion rather than a mere listener.

II. COMMITTEES ON THE JUDICIARY AND THE ADMINISTRATION OF JUSTICE IN GENERAL

This is the field in which, both logically and traditionally, the Association should be able to record substantial achievements. It is here that lawyers have the training and qualifications whereby they can be useful and this means that they have an obligation to the community to maintain a high degree of public usefulness.

1. *Committee on the Judiciary.* The Judiciary Committee put in a full year's work and the appointments made indicate that it did not labor in vain. It made a careful study of the records and qualifications of all the candidates for judicial office who will stand for election in November, 1947. This report, together with a review of what had gone before and a discussion of the powers and jurisdiction of the Committee under the By-laws, was printed and circulated among the whole membership in advance of the Annual Meeting in May. At that meeting the recommendations of the Committee were followed and endorsement given to James A. Delehanty for reelection as Surrogate, to Edward R. Koch and Charles D. McLaughlin for reelection to the Supreme Court, and to Owen W. Bohan for reelection as the Judge of the Court of General Sessions. It also approved for reelection the three judges of the City Court whose terms expire—Samuel C. Coleman, Rocco Parrella and Henry S. Schimmel—all of whom subsequently received bipartisan nominations, although there had been some question of the renomination of Justice Coleman by one of the major parties.

It had been hoped that the major parties at least, would join

in a nonpartisan nomination of J. Edward Lumbard, Jr. for the Supreme Court. This hope has not been realized. As I write this report, the Judiciary Committee is examining the professional record and the judicial qualifications of both Judge Lumbard and Congressman Rabin.

2. *Committee on Courts of Superior Jurisdiction.* The Committee continued its study designed to effect improvements in calendar practice in the Supreme Court and was prepared to submit its recommendations to Presiding Justice Martin, but was prevented from doing so by his death. There is good reason to believe that the new Presiding Justice will receive these recommendations with an open mind and be glad to have the support of the Association in making such reforms as he may find necessary or advisable. The Committee will also study and perhaps make recommendations in connection with pre-trial procedures and the possible advantages of an administrative office to assist the Presiding Justice and the Justices of the Supreme Court in details of practice and procedure.

3. *Committee on the Surrogates' Courts.* A new subcommittee was organized for the purpose of considering and drafting new legislation. This is an innovation. It is anticipated that next year the subcommittee will bring in legislative recommendations for submission to the Association and, if approved, for introduction in the legislature. In February the Committee gave an informal dinner for the Surrogates of New York County and the metropolitan area. During the year it examined about fifty bills which had been introduced into the Legislature and which affected matters within its jurisdiction. Bills which received consideration were those having to do with the apportionment of Federal estate and other estate or death taxes. The Committee has under investigation and study by one of its subcommittees a proposal for the education of the public with respect to the importance of revising wills and keeping them up to date. The report of the subcommittee was approved by the Committee and referred to the Executive Committee which adopted a resolution authorizing the appointment by the President of a special committee, but with

broader and more general powers. This is the Committee now known as the Committee on Public and Bar Relations of which Judge Samuel I. Rosenman is Chairman.

It is hoped that next year the Committee will make a study of the so-called "two lives in being" rule which will enable the Association to have introduced in Albany the legislation already approved by the Association at the Stated Meeting on December 17, 1946. It would also be helpful if the Committee should make a thorough study of the Model Probate Code to see how much, if any, of it should be adopted in New York.

4. *Committee on Criminal Courts, Law and Procedure.* This Committee held twelve meetings and gave a dinner attended by a number of the judges. It examined many bills and issued legislative bulletins which were sent to the Governor and the chairmen of the legislative committees. The annual report of the Committee states that the increase in the number of members (from 15 to 19) on the Committee was of assistance in the performance of its duties. The Committee was prompt and thorough in its consideration of the qualifications of candidates for appointment as magistrates and the Mayor was most cooperative in advising them of his tentative selections. It happened that the Committee had the opportunity to concur in the Mayor's selection of Arthur Markewich, who had served on the Committee as its secretary for several years.

5. *Committee on the City Court.* The Committee initiated the practice of personal interviews with all candidates for the City Court as a preliminary to a report to the Judiciary Committee. Furthermore, in the case of the three sitting justices whose terms expire on December 31, 1947, namely, Justices Coleman, Parrella and Schimmel, subcommittees attended sessions of the Courts. Their report found all three qualified for reelection. When it appeared that one of the major political parties might not renominate Justice Coleman, the Committee with the President and other officers of the Association and the Chairman and various members of the Judiciary Committee took active steps on behalf of the Association to procure such renomination. There

have been reports to the effect that this action played some part in the ultimate bipartisan renomination of Justice Coleman.

During another legislative year the Association has been unable to accomplish anything towards the enactment of legislation requiring that secretaries to the justices of the City Court be members of the Bar. The situation continues to be that only two out of 22 justices have lawyers as their secretaries. It would seem that the hope for such legislation lies in our ability to interest the Governor in the importance of the requirement.

6. *Committee on the Domestic Relations Court.* The Committee on the Domestic Relations Court was most helpful in supporting the request of Presiding Justice John Warren Hill for an adequate budget with which to meet his court's important responsibilities. A subcommittee of the Committee made a careful analysis of the budget and presented its views to the city authorities.

The members of the Committee also were diligent in observing the operation of the court, and particularly interested themselves in the shelter care being afforded to delinquent and neglected children. It will be recalled that in 1946 the Committee issued a report on shelter care which was printed in THE RECORD for June, 1946, Volume 1, Number 5, reprints of which were widely distributed to organizations interested in the problem.

It is to be hoped that in the current year the Committee will continue its interest in the problem of delinquency and will take steps to make its views on the budgetary problems of the court even more effective.

7. *Committee on the Municipal Court.* For the past several years the Committee on the Municipal Court has made it the practice to interview candidates for election to that court. The interviews are conducted with skill and dignity and the result has been that the endorsements by the Committee have been carefully considered and should carry great weight. More effective publicity for these endorsements would, of course, be helpful.

The Committee also has been alert to complaints regarding the operation of the court, and has given both the complainant

and the court every opportunity for a full and fair hearing. The Committee has insisted that high standards of courtesy and judicial decorum be maintained in the court, and on the whole, the court has measured up to the standards which the Committee constantly holds before it as an ideal of good judicial administration.

III. PUBLIC SERVICE COMMITTEES

This group includes the Committee on Grievances, Committee on Professional Ethics and several others. The work of these Committees is dedicated to upholding the standards of the profession of law and that, of course, directly affects the public welfare.

1. *Committee on Grievances.* During the year 1,243 complaints against attorneys or persons alleged to be attorneys were called to the Committee's attention. This is only a slightly larger number than that of the preceding year. Of this number 1,146 were dismissed or filed when matters complained of were subsequently remedied or upon investigation were found to be without merit or unsupported by sufficient proof. Prosecution on twenty-four complaints against twelve attorneys was recommended. There were fifty-one meetings of the Committee and forty-two full trials and hearings before subcommittees.

During the year eight attorneys were disbarred after trials before referees prosecuted by a member of the Association. Three others were censured by the court. Only two of the proceedings were dismissed. In addition, motions were made to the Appellate Division for reinstatement by four disbarred attorneys, which the Association successfully opposed. An innovation during the year was a better liaison between the Committee on Grievances and the Committee on Professional Ethics so that the special knowledge of the latter Committee became available to the former.

It should be emphasized that the Association spends annually something over \$40,000 on the work of this Committee which is for the benefit of the entire community and from which the Asso-

ciation receives chiefly the satisfaction of an important job well done. The financial burden is a heavy one to carry under present conditions.

2. *Committee on Professional Ethics.* This Committee has had a busy year bothered with differences of opinion between the Committees of the American Bar Association, New York State Bar Association and our Association with respect to professional announcements. Our Association and the American Bar Association have stood for a rather stricter rule than that adopted by the State Bar Association. A handicap under which the Committee has labored for years has been removed by the mimeographing of the collected opinions of the last ten years. This was done by the volunteer work of a number of law offices, for which the Association records its thanks.

3. *Committee on Unlawful Practice.* It is interesting that perhaps the best defense against the loss of business to accountants, notary publics and the like is to educate the bar to greater competence in the fields where inroads are possible. The hope here lies in the improvement of post-admission legal education—or the continuing education of the bar, as it is coming to be called.

During the year the Committee investigated twenty-four complaints. It considered a possible amendment to §270 of the Penal Law to cover the case of foreign lawyers not practicing in New York who advertise for business to be handled by themselves or their confreres. This is a difficult matter to deal with and it is hoped that legislation can be secured. The Chairman of the Committee, L. Reyner Samet, took a prominent part in organizing a joint meeting of the bar associations of nearby counties to arrange for coordination and collaboration so that the joint effort might produce greater results than individual action. A permanent conference was organized with Mr. Samet as its Chairman.

4. *Committee on Legal Aid.* The Committee on Legal Aid has continued to assist the Legal Aid Society and to extend the field of its operation. The Chairman, Mr. Marden, and other members

of the Committee assisted in arrangements for the annual convention of the National Association of Legal Aid Organizations which met in New York on October 24-25, 1946.

5. *Committees on Legal Education and Post-admission Legal Education.* The Committee on Legal Education, besides performing its usual duties of watching the requirements of admission to the Bar and assuring against undue relaxation of them assisted in the organization of a forum on legal education under the aegis of law school students. Several leading law schools were represented including Columbia, Harvard and Yale and there was much interesting discussion during a two day session. Unfortunately, on account of the work in the building it was not possible to hold this meeting there as had been planned in the interest of closer contact with the law school undergraduates. This thought suggests that in future this Committee might well take responsibility for arranging that officers or members of the Executive Committee or other members of the Association speak from time to time at various law schools in order that the students there may get some idea of professional practice and bar association procedure other than from members of the National Lawyers Guild.

Another possibility would be an examination of the report of the Harvard Law School Committee on Curriculum which so far is only in tentative and confidential form but which probably will be released fairly soon. It goes to the very heart of legal education and the comments of such a Committee as ours might be helpful to the Harvard Committee and instructive to others interested in the subject.

The Committee on Post-admission Legal Education organized a new Section on Drafting of Legal Instruments with Lloyd K. Garrison as Chairman, as has been noted above. The Committee has been under the necessity of finding new Chairmen for three of its Sections on Corporations, Trials and Labor Law. The Association owes a vote of thanks to the retiring Chairmen, John Gerdes, Samuel C. Coleman and Herman A. Gray. It is also to be congratulated in securing new Chairmen in the persons of Stuart

N. Scott, William C. Chanler and Milton Handler. It is interesting to record that the attendance at the forty-four meetings of the seven sections is estimated at 2,300.

Mr. Justice Frankfurter delivered the Cardozo Lecture on "Some Reflections on the Reading of Statutes" to an enthusiastic audience which overflowed the Meeting Hall. The Justice was as quick and sprightly at the buffet supper as he was on the rostrum and many members enjoyed the opportunity to shake hands with him. The other lectures were given by Messrs. Bruce Bromley, William J. Donovan, Lloyd K. Garrison, Harold R. Medina, Gilbert H. Montague and Judge Thomas D. Thacher. The new Chairman, Cloyd Laporte, is to be congratulated upon the offerings of the Committee although, as he says in his report, a part of the credit is due to his predecessor Keith Lorenz.

The program for next year includes Arthur L. Goodhart, K. C., of New College, Oxford, who will give the Cardozo Lecture in April on "English Contributions to Legal Philosophy."

It is probable that the Committee will continue its departure from tradition in having one or more lectures on nonlegal subjects. It is possible that it will go further than this and arrange a debate or forum perhaps on a weekday afternoon or after lunch on Saturday. There is still something of a gap between what this Committee offers and what is offered by the Entertainment Committee or by any of the other Committees and it is possible that the gap can be filled with something which lies halfway between the purely intellectual and the merely entertaining.

6. *Committee to Cooperate with the Judicial Council.* The prophesy in my last year's report that when Judge Marsh, who was the original Chairman of this Committee should retire, the life of the Committee would end, has proved false. I underestimated the Chairman. He persuaded Theodore Kiendl to carry on. He has a hard and thankless job but so long as the Chief Judge and the other members of the Judicial Council urge a continuance of the Committee, the Association should furnish the manpower to do the work. During the past year, at the request of the Judicial Council the Committee has studied and prepared

reports upon the service of papers in contempt proceedings, execution against the person and civil arrest as a provisional remedy and the pleading of conditions precedent in contract actions.

IV. COMMITTEES ON LAW REFORM, STATE AND FEDERAL LEGISLATION AND SPECIAL FIELDS OF LAW

These are the committees whose concern is the initiation or examination of legislation and the making of recommendations to the legislature and others for or against certain bills. This is a field in which, for the most part, lawyers are qualified to express opinions which should have influence with legislators, government officials and the public, provided only that the considerations pro and con are not purely political or economic.

1. *Committee on Law Reform.* The Committee on Law Reform this year had seven bills on its legislative program. The Committee was successful in securing the introduction of five of these. For two the Committee was unable to obtain sponsorship. The Committee had hoped to secure introduction this year of the bill to liberalize the divorce law of the State. This bill was approved by the Association in 1945. There was no thought that even if the bill were introduced it would be passed at this session of the legislature, but it was the hope of the Committee that by having the bill introduced, opportunity would be presented to secure the views of interested citizens and organizations and that introduction would prove the first step in the educational process which will be necessary if this legislation is to pass at some future time. The Chairman of the Committee and the Executive Secretary and various members of the Association attempted to find a sponsor for the bill but were unsuccessful. Their efforts will be continued.

The other measure which failed of introduction was the proposed amendment to the Constitution of the State of New York which would prohibit judges from standing for office other than judicial office without first resigning from the bench. Legislative leaders strongly advised the Committee against introduction of

this measure at the past session. Their advice was of necessity accepted.

The following five proposals of the Law Reform Committee were introduced:

1. An Act to Amend the Civil Practice Act in Relation to Depositions and Discovery. (Senate Int. No. 607, Assembly Int. No. 617)
2. An Act to Amend the Real Property Law and the Personal Property Law in Relation to Future Estates in Real or Personal Property and the Rule Against Perpetuities. (Senate Int. No. 609, Assembly Int. No. 619)
3. An Act to Amend the Lien Law in Relation to Corporate Mortgages Against Real and Personal Property (Senate Int. No. 1404, Assembly Int. No. 1568)
4. An Act to Amend the General Construction Law in Relation to Definition of Terms "Bond and Mortgage" and "Note and Mortgage." (Senate Int. No. 1403, Assembly Int. No. 1567)
5. An Act to Amend the Public Officers Law in Relation to Prohibiting the Giving of Advice Concerning Retention and Employment of Attorneys at Law . . . (Senate Int. 608, Assembly Int. 618)

It was necessary to amend the discovery bill late in the session in order to make it conform with recent changes in the Federal Rules of Civil Procedure. The bill, as amended, is approved by various interested groups, and it is hoped that now it is in final form, passage early in the next session will be possible.

The bill which would modify the present New York rule against perpetuities encountered the fatal opposition of the Surrogates Association. The Committee on Law Reform continues to hope that it will be possible to convince the Surrogates Association of the merit of this measure, and if the support of that association is secured, the chances of the bill's being passed in the next session of the Legislature are good.

The bill amending the lien law in relation to corporate mortgages was passed by the legislature and approved by the Governor. Unfortunately, the companion bill, which amended the

general construction law in relation to the definitions of the terms "bond and mortgage" and "note and mortgage" was vetoed by the Governor. No reasons were assigned for the veto.

The proposal to amend the public officers law so as to prohibit public officials from advising against obtaining the services of lawyers in connection with matters pending before various governmental agencies was passed by the Senate. This measure was opposed by the Governor's office and did not reach a vote in the Assembly.

Thus out of the seven measures which the Committee on Law Reform sponsored, only one was enacted into law. There is reason to hope, however, that the Committee will be more successful this year. The Chairman and his Committee are to be commended for the generous amount of time which they devoted to promoting their program. It should also be recorded that all these measures were introduced by Senator MacNeil Mitchell and Assemblyman Irwin D. Davidson, both members of the Committee on Law Reform. Their support and counsel were invaluable.

The hope for the future is that the Committee will find some piece of legislation to propose which would really arouse the interest and support of the Bar and perhaps of the public as well—something of broad application and general appeal. The subjects upon which the Committee has been working while important, are, nevertheless, narrow in scope and do not arouse the imagination. I appreciate that the Committee cannot embark upon the sea of social security or tax legislation, but it would seem as though there must be subjects within its proper jurisdiction which would meet the test of what I have in mind. A possible subject is the establishment of an administrative office in the Supreme Court. If we should find that Presiding Justice Peck favors the plan, we might, with his aid be able to secure an important improvement in the machinery of justice in this State.

2. *Committee on State Legislation.* The new Chairman, John Bross, made many changes in the procedure and technique of the Committee which will speed its work without increasing the strain on the members. He was most cooperative in the attempt

to straighten out the line between the jurisdiction of his Committee and that of the specialized committees which enter the field of state legislation. I cannot say that the lines now drawn represent the shortest distance between two points but at least there is less meandering and recriminating than there used to be and I think that another year will eliminate most of that which still remains.

A possible innovation would be to pick out as far in advance as possible two or three pieces of proposed legislation which, because of professional or public interest, might be given special study by the Committee and one of the specialized committees with the idea that a joint report could be presented to a Stated Meeting, or a special one if necessary. That would mean that the position taken by the Committee would carry more weight than the ordinary report.

3. *Committee on Federal Legislation.* Nothing spectacular presented itself to this Committee during the year but it was busy studying various bills and preparing reports to Congress. The Chairman appeared before the Senate Judiciary Committee in connection with bills which would improve the jury system in the Federal courts. This legislation, which was sponsored by the Conference of Senior Circuit Judges and in which Judge Knox has long been interested, will be an important contribution to an improved administration of justice in the Federal system.

The Committee has under study H.R. 2055, a bill which would revise, codify, and enact into law Title 28 of the United States Code entitled Judiciary Code and Judiciary. The Committee will also consider the preliminary draft of the proposed rule to govern condemnation cases in the United States Districts Courts. The rule was submitted to the bar for criticism by the Advisory Committee on Rules for Civil Procedure in June, 1947. The Committee has given careful attention to amendments proposed to the Federal Rules, and it will be recalled that the Committee sent to the Advisory Committee a detailed study of the amendments adopted by the Supreme Court on December 27, 1946.

THE RECORD would welcome at any time during the present year a report on selected items of legislation proposed by the Congress which would inform our members what is going on in Congress. And there is always the hope that the Committee will find some bill which it is chronologically possible and publicly worth while to bring before the Association in order to secure its support or opposition as the case may be.

4. *Committee on Labor and Social Security Legislation.* This report has already mentioned the work of this Committee. It has had the opportunity which a live subject offers and the difficulties which strong and divergent feelings create. The Chairman, Morrell S. Lockhart, has won the respect of his Committeemen and of the members who have attended meetings at which his Committee has reported. He has been open-minded, good-natured and clear spoken.

The report of the committee on proposed legislation concerning portal-to-portal pay, which contained recommendations with respect to industry-wide bargaining, the closed shop and other matters was presented at the March Stated Meeting. Objection was made by certain members that that they had received insufficient notice of the recommendations of the Committee other than those concerning portal-to-portal pay. Accordingly, a special meeting was called for March 24th. The recommendations of the Committee were approved except in one particular.

At the Annual Meeting in May the Committee presented a report on which no action was asked and the Chairman gave a brief analysis of the Hartley Bill and the Taft Bill, both of which were then pending. This report is contained in the June issue of THE RECORD. It is interesting to note that the legislation as finally enacted parallels in many respects the recommendations made by the committee in this and previous reports.

A suggestion for the future is a report upon the labor bill drafted by the New York State Bar Association which is said to be an excellent piece of proposed legislation going down the middle of the road. Whether or not this is done, the Committee will, I hope, continue to examine the situation as it exists from month

to month and keep the Association advised even if it is only rarely that proposed legislation is known sufficiently in advance to permit its submission for action by the Association as a whole.

This prompts a mention of the suggestion that there may be rare occasions in which it would be possible to supplement action at a stated or special meeting by a postal ballot with the understanding that the Association would be deemed to take no position unless the two votes concurred. This procedure would be possible only occasionally on account of the time element and the customary complexity of controversial legislation. When a good opportunity presents itself, I should like to see the experiment tried. But I feel strongly that the postal ballot should be accompanied by both the report of the Committee and a transcript of the debate at the meeting. This would be expensive, but it is essential if the American principle of free speech and a full hearing at an open meeting is to be preserved by our Association. Furthermore, if the procedure should be followed except on rare occasions, it would reduce interest in the stated meetings and that is none too great at the moment.

5. *Committee on Administrative Law.* The work of the Committee for the current year was conducted largely through four subcommittees to consider the so-called O'Hara Bill to amend the Federal Trade Commission Act, to consider and report on the advisability of the creation in New York City of a division on administrative procedure, to consider and report on what, if anything, should be done with respect to the Federal Administrative Procedure Act and to consider and report on the advisability of the passage of the New York State Administrative Law bill. It seems important that the Committee should next year consider the preparation of a state administrative procedure act which everyone seems to admit is badly needed. It might also report on ways and means of securing better personnel in administrative agencies and departments, state and Federal. It is certain that, as everywhere else, the success or failure of administrative bodies will depend upon the calibre of the human element. And no one is better able to suggest how the calibre is to be

raised and then maintained than a group of lawyers who have practiced before these bodies and perhaps sat upon them.

PATENTS

6. *Committees on Patents, Copyright, and Trade-Marks and Unfair Competition.* The Committee on Patents continued its study of proposed changes in the law relating to patents and the administration of patent rights in the courts and in the Patent Office. In the international field these studies embraced proposals for amendment of Public Law 690, 79th Congress, which amendment in acceptable form became law on July 23, 1947.

The Committee also considered filing an *amicus* brief in connection with a petition for rehearing in the important case of Halliburton Oil Well Cementing Company v. Walker, et al., 329 U.S. 1 (1946). However, the petition for rehearing was not filed by the defeated litigant, and further efforts of the Committee were directed to securing discussions of the Halliburton opinion in law reviews.

Two other opinions of importance to owners of patent rights were studied by the Committee: Edward Katzinger Co. v. Chicago Metallic Mfg. Company, and MacGregor v. Westinghouse Electric & Manufacturing Company, 329 U.S. 394 and 402. For the coming year the Committee hopes to have before it the report of the Patent Survey Committee of the Department of Commerce.

COPYRIGHT

The Committee on Copyright held six dinner meetings at the House of the Association. It considered the proposed Design Copyright Bill and had as its guests at one of the meetings considering the bill Samuel Bass Warner, Register of Copyrights.

The Committee registered its opposition to the adherence by the United States to the Inter-American Copyright Convention, and also made arrangements with the Practising Law Institute for the presentation of twelve lectures by the Institute during the coming year.

TRADEMARKS

The Committee on Trade-Marks and Unfair Competition has in the past concerned itself primarily with trademarks. This year greater emphasis was placed by it upon the regulation of competitive practices. Indeed the Committee has suggested that its name be changed to Committee on Trade-Marks and Trade Regulations, and it is hoped that this change can be effected when the By-laws are again amended.

Various proposed amendments to the United States Trade-Mark Code of 1946 were considered, as well as the trend of state legislation in this field. The Committee maintained effective liaison with the Committee on Labor, proposing a joint study by the two committees of feather-bedding practices of labor as restraints of trade and commerce.

In the field of federal legislation the Committee gave attention to the Kefauver Bill, which failed of passage. A great deal of other proposed legislation was considered by the Committee on none of which it was necessary for the Committee to forward the results of its studies to Congress.

7. *Committee on Taxation.* The Committee has worked hard on many matters but has prepared no report comparable to that of last year which won the distinction of a review in the Harvard Law Review and elsewhere. Last year's Chairman, Roswell Magill, was forced to resign from the Committee because of appointment by President Truman to the Chairmanship of a committee to advise the Ways and Means Committee respecting the forthcoming revenue bill. It was a good choice by the President, but a loss to us.

The new Chairman, Rollin Browne, has had experience in private practice and public position and will carry on from where Mr. Magill left off. Already he and the subcommittee are cooperating with the Committee on Public and Bar Relations with respect to possible legislation designed to give the man that works for himself or in partnership at least a chance to save something from his earnings for a rainy day, old age or death which is just as certain as taxes are.

8. *Committee on Uniform State Laws.* The Committee has had no opportunity to distinguish itself during the past year. It seems probable that in the coming year it will be able to secure from the American Law Institute and the Commissioners on Uniform State Laws the "Comments" on the proposed new Sales Act without which it has been impossible to give the draft the attention it deserves. Further work might be done in examining all of the uniform state laws with a view to determining whether some of them might not well be enacted in New York, at least in part.

9. *Committee on International Law.* The Committee has been active and alert and its meetings have been well attended. An innovation in securing an outside expert has been mentioned. Intriguing subjects for attack by the Committee next year are the history and basis, the merits and demerits, of the Senate's treaty-making power. The Chairman, being particularly interested in the trade aspects of international law, may be able to arrange a forum to discuss the practical problems of that sort which are important to all of us but with which most lawyers are unfamiliar.

10. *Committee on Foreign Law.* The Committee on Foreign Law continued to encourage the publication of studies made by members of the Committee and others in the field of foreign law, and also has under way the preparation of several important bibliographies dealing with foreign law.

A member of the Committee, Professor Hazard, published in THE RECORD for April, 1947, Volume 2, Number 4, an interesting article on Soviet Law. Also published in THE RECORD was a report by the Committee on a revision of Section 344-A of the Civil Practice Act, dealing with requirements for pleading foreign law. The report, prepared by Otto C. Sommerich of the Committee, has already been cited by at least one court.

The Committee will continue its practice of inviting representatives of foreign governments to meet with it, and in the coming year it is hoped that the Committee will assist the Library Committee in reviewing the foreign law collections of the Library

and will, perhaps, sponsor a forum on the development of the law and the status of the legal profession in Europe.

11. *Committee on Admiralty.* The Committee studied a preliminary draft of the proposed "Revision of Federal Shipping Laws" but could take no action until a formal draft has been prepared. Presumably it will take such action during the current year.

12. *Committee on Aeronautics.* The new Chairman, Hamilton O. Hale, has had only a short time to get this Committee into action. It has had difficulty in finding subjects appropriate for consideration. For the most part, problems concerning aeronautics are either too large and political or too narrow and specialized. A suggestion is that the Chairman seek out prominent men in the aviation field who would be willing to attend a meeting of the Committee and tell what their legal problems are. This might disclose a line along which the Committee could be helpful to the industry.

13. *Committee on Bill of Rights.* This Committee has been saving up its strength for great future activities. There are many subjects of which it can take cognizance with the prospect of worth while results. First there is President Truman's executive order regarding the loyalty of government employees. There have been partisan attacks and self-interested defenses but, I think, no fair analysis and unprejudiced conclusions. There is also the proposal of legislation to require the disclosure of the sources behind various propaganda groups and publications which was approved by the Association and referred to a subcommittee of the Bill of Rights Committee for action—of which there has been none.

14. *Committee on Arbitration.* The Committee has continued in one way or another its effort to let the Bar see that arbitration is not a device for eliminating the usefulness of lawyers—rather the contrary. The Committee reports that today about ninety per cent of the parties to arbitration are represented by members of the Bar and that the trend is upward.

The success of the arbitration demonstration in the Meeting Hall of the Association has already been mentioned and the hope expressed that there will be another next year—perhaps illustrating a labor arbitration. The first demonstration was called "From Alpha to Omega" because it represented every stage of an arbitration from the first thought of resort to that form of procedure until the final decision. The report of the Committee states "A script covering nine scenes was written. The cast composed of members of the three organizations (Our Association, the New York County Lawyers Association and the American Arbitration Association) rehearsed repeatedly. Huge cards, like those used in the old vaudeville days in the Palace Theatre, designated the change of scenes. Blackouts enabled the shifting of characters and properties.

"The nine scenes were run off in an hour and twenty minutes and included two court scenes at Special Term, Part One, and motions to stay the proceeding and to vacate the award respectively."

15. *Committee on Bankruptcy and Corporate Reorganization.* The Committee had little opportunity to show its mettle but that does not mean that it neglected the various bills, mostly in connection with railroad reorganizations, which were introduced in Congress, or failed to give Congress the benefit of its conclusions.

16. *Committee on Medical Jurisprudence.* The Committee cooperated with The New York Academy of Medicine, which sponsored a conference on "medical, legal, and social approaches to the problems of inebriety." The conference was also sponsored jointly by The Research Council on Problems of Alcohol, of which Dr. Lyman C. Duryea is Medical Director. Dr. Duryea was a guest of the Committee at one of its meetings, and the Committee will consider in the coming year some of the legal aspects of the problems of alcoholism which Dr. Duryea outlined for the Committee.

Two subcommittees were appointed—one to consider the subject of expert medical witnesses, and the other to consider legal problems in connection with the care of the mentally ill. This

latter work will be done in connection with the work of a committee on the mentally ill of the American Bar Association.

17. *Committee on Real Property.* For a new-born Committee this one has shown extraordinary activity and endurance. It has been busy from first to last. For the most part its interest has centered around the housing problem and this was the subject of the forum already mentioned, which brought out such an enthusiastic audience and produced such a marked difference of opinion between those who believe that the solution lies in private capital and those who favor state or Federal aid—because as to the proper source of government assistance there was no unanimity.

The Committee watched legislation with an eagle eye and was prepared to have an opinion — not necessarily unanimous — on whatever it saw.

18. *Committee on Insurance Law.* The Committee is one of the new committees established by amendments to the By-laws adopted in May of 1946. The Committee works through four subcommittees, one of which, the subcommittee on State Regulation of Insurance under the McCarran Act, published in THE RECORD of the Association for April, 1947, Volume 2, Number 4, an excellent report on bills before the legislature bearing on the general question of state regulation in light of the McCarran Act. The report was sent to state officials and to members of the legislature concerned with this legislation, and had, it is hoped, some effect in securing the enactment of adequate regulatory legislation.

The Committee devoted a considerable part of its time to examination of other pending legislation dealing with insurance, but during the coming year will not confine its activities so exclusively to a review of legislation. It is to be hoped that the Committee will sponsor a forum or a lecture on some current topic in the field of insurance of general interest to our members.

The Library

SIDNEY B. HILL, *Librarian*

RECENT BIOGRAPHICAL WORKS

So much of a lawyer's professional life is devoted to advocacy and the preparation of legal memoranda, "tied and ticketed away," that it has often been said that his career is "writ in water." This list of recent biographies and autobiographies is an attempt to dispel this belief somewhat, and to underscore the influence of the bench and bar on the sands of time. Perhaps this reminder of their heritage may also serve as a guide to the art of advocacy.

In selecting these titles, readability and enjoyment have been given the preference.

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